

WILLKIE FARR & GALLAGHER LLP

BENEDICT Y. HUR (SBN: 224018)

bhur@willkie.com

SIMONA AGNOLUCCI (SBN: 246943)

sagnolucci@willkie.com

EDUARDO E. SANTACANA (SBN: 281668)

esantacana@willkie.com

ARGEMIRA FLÓREZ (SBN: 331153)

aflorez@willkie.com

HARRIS MATEEN (SBN: 335593)

hmateen@willkie.com

333 Bush Street, 34th Floor

San Francisco, CA 94104

Telephone: (415) 858-7400

Attorneys for Defendant

GOOGLE LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, et al. individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

GOOGLE LLC, *et al.*,

Defendant.

Case No. 3:20-CV-04688 RS

**DECLARATION OF EDUARDO E.
SANTACANA IN SUPPORT OF
GOOGLE LLC'S MOTION TO
EXCLUDE SUNDAR PICHAI FROM
TESTIFYING AT TRIAL**

*[FILED CONCURRENTLY WITH THE NOTICE OF
MOTION AND [PROPOSED] ORDER]*

Date: May 9, 2025
Time: 2:00 p.m.
Ctrm: A - 15th Floor
Judge: Magistrate Judge Alex G. Tse

Action filed: July 14, 2020
Trial Date: August 18, 2025

1 I, EDUARDO E. SANTACANA, declare that:

2 1. I am an attorney licensed to practice law in the State of California and am a partner
3 with the law firm of Willkie Farr & Gallagher LLP, located at 333 Bush Street, 34th Floor San
4 Francisco, California 94104, counsel for Defendant Google LLC (“Google”) in the above-captioned
5 action. Unless otherwise stated, the facts I set forth in this declaration are based on my personal
6 knowledge or knowledge I obtained through my review of corporate records or other investigation.
7 If called to testify as a witness, I could and would testify competently to such facts under oath.

8 2. I submit this declaration in support of Google’s Motion to Exclude Sundar Pichai from
9 Testifying at Trial filed herewith.

10 3. After the Court denied without prejudice Plaintiffs’ May 4, 2021 request for Google
11 to search the ESI of ten additional custodians, including Mr. Pichai, Plaintiffs did not ask Google to
12 produce Mr. Pichai’s ESI again, and never moved the Court for another order compelling such
13 production.

14 4. Plaintiffs deposed fourteen current and former Google employees. Plaintiffs never
15 sought to depose Mr. Pichai.

16 5. Attached hereto as **Exhibit A** is Plaintiffs’ Amended Rule 26 Disclosures dated
17 October 31, 2022.

18 6. Attached hereto as **Exhibit B** is Plaintiffs’ Second Amended Rule 26 Disclosures
19 dated October 4, 2023.

20 7. After amending their Rule 26 Disclosures to add Blake Lemoine, Plaintiffs demanded
21 that Google produce Lemoine’s documents and then let Plaintiffs depose Lemoine. Google rejected
22 this request. In February 2024, Plaintiffs served a draft letter brief on Google asking the Court for
23 “an order (1) granting leave for Plaintiffs to exceed the current deposition limit to take Mr.
24 Lemoine’s deposition, and (2) requiring Google to review and produce documents from the
25 custodial files of another individual with key knowledge—former Google employee Blake
26 Lemoine.” They subsequently dropped the issue. No letter brief on this was ever filed.

27 8. Attached hereto as **Exhibit C** is Plaintiffs’ Third Amended Rule 26 Disclosures dated
28 September 16, 2024.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: April 3, 2025

/s/ Eduardo E. Santacana
EDUARDO E. SANTACANA

FILER'S ATTESTATION

I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document.

Dated: April 3, 2025

/s/ Simona Agnolucci

Simona Agnolucci